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Agenda item 23

DRAFTING OF A DECLARATION ON THE RIGHT AND RESPONSIBILITY OF INDIVIDUALS, GROUPS AND ORGANS OF SOCIETY TO PROMOTE AND PROTECT UNIVERSALLY RECOGNIZED HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

Written statement submitted by: American Association of Jurists, International Association for the Defence of Religious Liberty, International Association of Democratic Lawyers, International Association against Torture, International Federation of Free Journalists, Caritas Internationalis, International Committee for Peace, Swiss Committee against Torture, Centre Europe-Tiers Monde, World Federation of Trade Unions, International Abolitionist Federation, International Organization for the Elimination of All Forms of Racial Discrimination, International Movement for Fraternal Union among Races and Peoples, International Falcon Movement, International Fellowship of Reconciliation, International Indian Treaty Council, International League for the Rights and the Liberation of Peoples, Pax Christi, Pax Romana, International Union of Lawyers, World Federation of Labour, International Commission of Jurists, Four Directions Council, Human Rights Advocates, International Association of Penal Law, Union of Arab Jurists, World University Service, International Education Development Inc., International Human Rights Internship Program, International Institute of Higher Studies in Criminal Sciences, Liberation, Disabled People's International, Latin American Federation of Associations of Relatives of Disappeared Detainees, International Juridical Organization for Environment and Development, International Association of Educators for World Peace, Centre of Research, Study and Promotion of Human Rights, International Union of Students

The Secretary-General has received the following communication, which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV).

[1 February 1991]

Mr. Chairman,

1. Shortly after the latest session of the Commission on Human Rights, Professor Kazem Rajavi was murdered not far from where the Commission is now sitting. He was a representative of the Iranian resistance for all matters relating to human rights, and was well known for his tireless struggle. He knew how to heighten awareness, both among official international bodies and non-governmental organizations, of the inhuman treatment of many of his compatriots. Many of those present at this meeting certainly knew him personally and thought highly of him. We may recall that he was Ambassador of the first Government of the Republic of Iran to the United Nations in Geneva, although he gained prominence above all for speaking out, while he was a political refugee in Switzerland for the second time, against all the human rights violations committed in Iran. Professor Rajavi, who was a member of the Swiss League for Human Rights and a staunch defender of freedom, was present here in the Palais as recently as March 1990, during the previous session of the Commission. He strongly criticized the Galindo Pohl report, which he, like many others, considered too indulgent towards the Government of Iran.

2. His indignation on reading that report was not in vain. On 19 November 1990, the United Nations Special Representative, Mr. Galindo Pohl, submitted a further report to the United Nations General Assembly. The author of that 96-page document details numerous human rights violations in Iran, including a large number of recent executions. He also reminds us, in paragraphs 43 and 44, of the murder of Professor Kazem Rajavi:

> "43. The Special Representative has been particularly shocked by the news of the assassination on 24 April 1990 in Coppet, Switzerland, of Mr. Kazem Rajavi, who represented the National Council of Resistance before various United Nations bodies. All those who knew Mr. Rajavi were deeply moved by that ill-fated occurrence. On behalf of himself and his colleagues, the Special Representative wishes to express his condolences as well as his profound concern and most forceful repudiation of the use of blind violence in lieu of free discussion and the interplay of ideas. Numerous communications were received alleging that the assassination was carried out by agents of the Iranian Government. (...)
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> 44. The assassination of Mr. Rajavi generated fear in persons visiting the Palais des Nations to give information about human rights in the Islamic Republic of Iran. They took extraordinary precautions so as not to draw attention to their lives and their beliefs and asked for special police protection, in some cases notifying the competent authorities in advance of their movements in Geneva or requesting interviews outside the Palais des Nations."

3. There was a worldwide outcry against Professor Rajavi's assassination, the political nature of which is beyond doubt. Accordingly, and considering:

(a) Resolutions 23 (XXXVI) of 29 February 1980, 28 (XXXVII) of 11 March 1981, 1982/30 of 11 March 1982 and 1983/31 of 8 March 1983 on the role of individuals, groups and organs of society to promote and protect universally recognized human rights;

(b) Sub-Commission resolution 1990/8 of 22 August 1990, paying tribute to Professor Kazem Rajavi's memory, condemning strongly his assassination and expressing the sincere wish that all facts and circumstances would be fully investigated and revealed with respect to this serious crime;

(c) The tribute paid to Mr. Kazem Rajavi by the Special Representative, Mr. Galindo Pohl;

(d) The assertion by the police of Vaud (the Swiss canton in which Professor Rajavi was assassinated) that "we are firmly convinced that one or more Iranian officials are directly involved in this assassination.";

(e) The report by Judge Châtelain of the Canton of Vaud, which explicitly states that Professor Rajavi's assassins included several Iranians who had been issued with official passports by Iran;

the undersigned, request through the Chairman of the Commission, that the Commission should in turn pay tribute to this renowned defender of human rights and should request that the police investigation be followed up so that the crime does not go unpunished. The life and safety of other defenders of human rights depend on this, and covering this tragic event with a cloak of silence would open the way for other crimes. The international community, gathered here to promote respect for human rights, has a duty to express its grief and indignation, through a tangible and official act on the part of the Commission. The loss of Professor Kazem Rajavi represents the loss of a great man, and the Commission has a duty to condemn an unjustifiable act that perpetuates State violence in violation of all international rules. Through Mr. Kazem Rajavi, the Commission would be paying tribute to all those who have lost their lives because of their commitment to human rights.

4. We would be grateful, Mr. Chairman, if you would give the closest attention to this important request, and we look foward to receiving a prompt reply from you. We would like this written statement to be considered as a communication submitted under agenda item 23, and ask you to accept the assurances of our highest consideration.